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Attorneys for Defendants
THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA, ROBERT BIRGENEAU,
CONSTANCE PEPPERS CELAYA, ADAN
TEJADA, VICTORIA HARRISON, ALLAN
KOLLING, TOM KLATT and SUSAN VON
SEEBURG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTINE CHANG, individually and as
Guardian ad Litem for ERIC SUN,
disabled,

Plaintiff,

v.

ROCKRIDGE MANOR
CONDOMINIUM, et al.,

Defendants.

Case No. C-07-4005 EMC

**NOTICE OF MOTION AND MOTION TO
DISMISS OF DEFENDANTS ROBERT
BIRGENEAU, CONSTANCE PEPPERS
CELAYA, ADAN TEJADA, VICTORIA
HARRISON AND SUSAN VON SEEBURG
PURSUANT TO FRCP 12(b)(6) OR, IN
THE ALTERNATIVE, MOTION FOR
SUMMARY JUDGMENT [F.R.C.P. 56]**

Date: April 23, 2008
Time: 10:30 a.m.
Courtroom: C
Judge: Magistrate Judge Edward M. Chen

TO PLAINTIFFS IN PROPRIA PERSONA:

PLEASE TAKE NOTICE that defendants ROBERT BIRGENEAU, CONSTANCE PEPPERS
CELAYA, ADAN TEJADA, VICTORIA HARRISON and SUSAN VON SEEBURG hereby
move and will move the Court on the date, time and place set forth above to dismiss the
complaint filed in this action pursuant to Federal Rule of Civil Procedure 12(b)(6) on the grounds
that each of the claims asserted against them fail to state facts sufficient to state a cause of action

1 and are otherwise barred by the implied immunity doctrine and California Government Code
2 immunities.

3 In the alternative, moving defendants move for summary judgment of the claims pursuant
4 to F.R.C.P. 56 on the grounds that there is no genuine issue of material fact and defendants are
5 entitled to judgment as a matter of law.

6 These Motions are based on this Notice and Motion, the Memorandum of Points and
7 Authorities filed herewith, the Declarations of Constance Peppers Celaya, Adan Tejada, Victoria
8 Harrison and Susan Von Seeburg, the defendants' prior Motion to Dismiss, which is incorporated
9 as though fully set forth herein, the pleadings and papers filed herein, and on such other matters
10 as may be brought to the attention of the Court and the parties at or before the hearing on these
11 Motions.

12 Dated: March 17, 2008

LOMBARDI, LOPER & CONANT, LLP

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14 By: /s/ GayLynn Kirn Conant

15 GAYLYNN KIRN CONANT
16 Attorneys for Defendants
17 The Regents Of The University of
18 California, Robert Birgeneau Constance
19 Peppers Celaya, Adan Tejada, Victoria
20 Harrison, Allan Kolling, Tom Klatt and
21 Susan Von Seeburg
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